

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MUHAMMAD KHAN,

Plaintiff,

v.

M. PAYTON, et al.,

Defendants.

Case No. 20-cv-03086-BLF (PR)

**ORDER DENYING MOTION FOR
EXTENSION OF TIME TO FILE
OPPOSITION; DIRECTING
PLAINTIFF TO FILE CURRENT
ADDRESS**

(Docket No. 96)

Plaintiff, a California inmate, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 against employees of San Quentin State Prison (“SQSP”). On November 15, 2023, Defendants filed a motion for summary judgment. Dkt. No. 72. On May 30, 2024, the Court granted Plaintiff a fourth and final extension of time to file his opposition. Dkt. No. 87. However, because of pending discovery matters, the Court *sua sponte* reset the briefing schedule such that Plaintiff now has **until September 23, 2024**, to file an opposition. Dkt. Nos. 91, 94. Accordingly, Plaintiff’s recently filed motion for another extension of time is **DENIED**. Dkt. No. 96. **No further extensions of time shall be granted.**

Plaintiff also requests a status update and access to ECF. Plaintiff shall be provided with a copy of the docket as a status update. As for access to ECF, Plaintiff may consult

the Court's public website, www.cand.uscourts.gov, click on the "ELECTRONIC CASE FILING" link, and review "New Registration Instructions for Pro Se (Self-Represented) Litigants." Plaintiff should review the requirements for e-filing as a pro se litigant and see if he is able to abide by them, which requires having regular access to the technical requirements necessary to e-file successfully. He may then move for permission for electronic case filing. Plaintiff is advised that if this matter is granted e-filing status, all documents (orders and motions from opposing parties) will be served on Plaintiff only electronically and no paper copy will be sent to him. He will also be responsible for e-filing all his papers.

On August 14, 2024, mail addressed to Plaintiff at the Correctional Training Facility was returned as undeliverable, with the indication that Plaintiff was paroled. Dkt. No. 95. Pursuant to Northern District Local Rule 3-11, a party proceeding *pro se* must promptly file a notice of change of address while an action is pending. *See* L.R. 3-11(a). The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable, and (2) the Court fails to receive within sixty days of this return a written communication from the pro se party indicating a current address. *See* L.R. 3-11(b).

The Court notes that Plaintiff's current motion fails to provide a current address. Plaintiff is advised that he must provide the Court with a current address to avoid dismissal under Local Rule 3-11(b), unless he first moves for and is granted e-filing status.

The Clerk shall include a copy of the docket with a copy of this order to Plaintiff.

This order terminates Docket No. 96.

IT IS SO ORDERED.

Dated: August 21, 2024


BETH LABSON FREEMAN
United States District Judge